

IN THE CIRCUIT COURT OF TENNESSEE
FOR THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

R.T. WYNNE
Beneficiary of Life insurance of
JOYCE M. WYNNE, Deceased
PLAINTIFF

vs.

STONEBRIDGE INSURANCE COMPANY, INC.
DEFENDANT

COMPLAINT FOR DAMAGES FOR BREACH OF CONTRACT AND BAD FAITH DENIAL

Comes now the Plaintiff and would state to the Court as follows:

1. Prior to J. M. Wynne's death he was duly covered and a policy was duly issued to him, under insurance policy numbers 74L4073800, 74L6171304, 74A6938518, 74AY993014.
2. The policy provided that if he should die from accidental means as defined in the policy, as "death which results from accidental bodily directly and independently of all other causes," defendant would pay to the beneficiary under the policy accidental death benefits.
3. On the 23rd day of November, 2002, above said policy was in full force and effect, when Joyce M. Wynne died from accidental and unnatural injuries of unknown origins; the death of Joyce M. Wynne was definitely from "injuries from accidental bodily injuries received while insured under this policy," as defined in the defendant's policy, as seen in the hereto attached photos as an Exhibit.
4. The beneficiary under the aforementioned policy is R. T. Wynne, sole beneficiary of the estate of J.M. Wynne, the Plaintiff herein.
5. Plaintiff has complied with all conditions imposed by the policy, including notifying the defendant shortly after his death on the 23rd day of November, 2002.

6. Notwithstanding being given notice of injuries and suspicious nature thereof and a demand therefore of the accidental benefits, the Defendant, after reviewing the death certificate as issued by the physician for the residence of the deceased and the Police report of the injuries, declined and refused to pay these to the plaintiff.

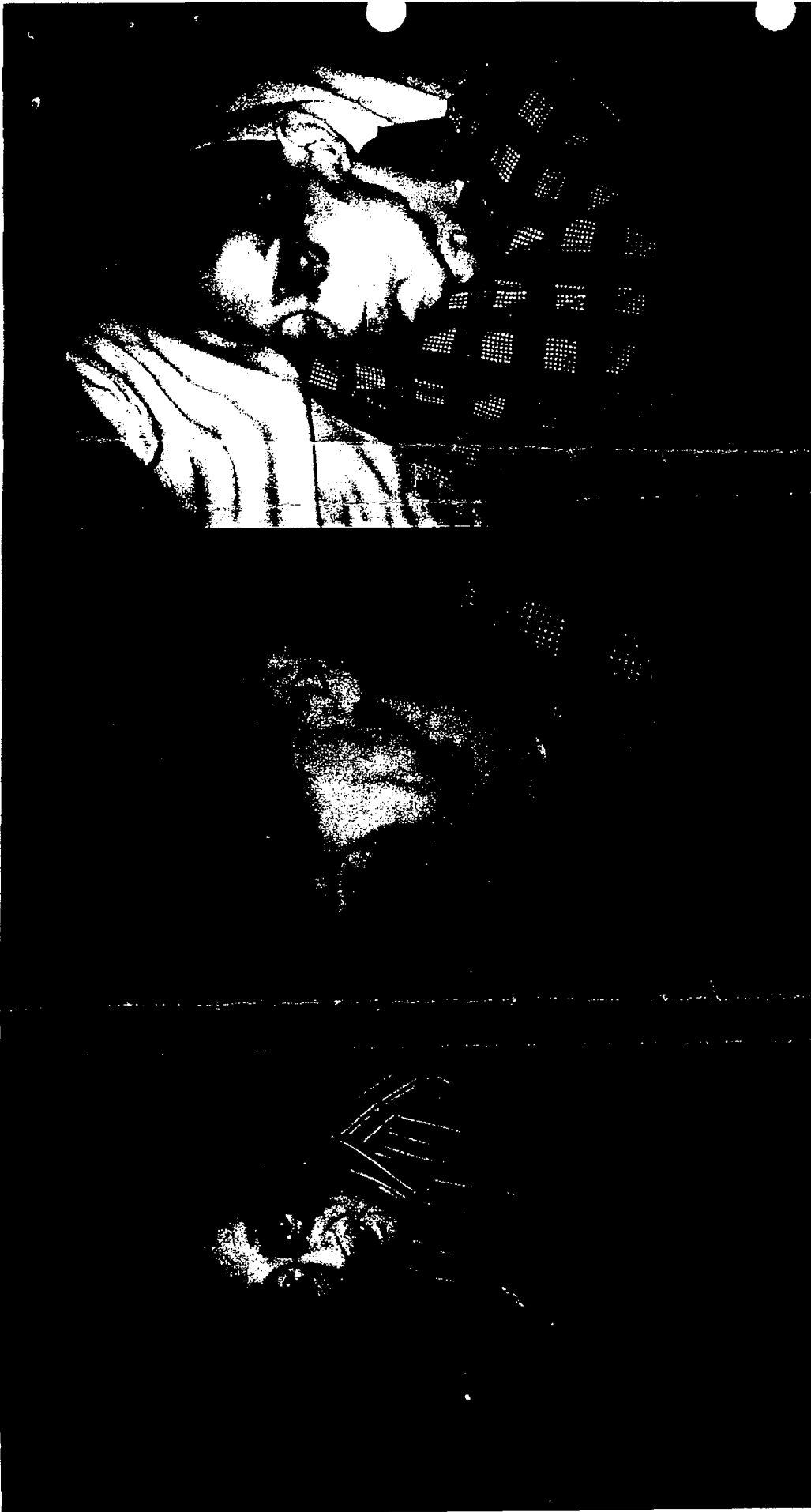
WHEREFORE, Premises considered, plaintiff prays for:

1. Judgment against the defendant in the sum of Five Hundred Thousand dollars, for compensatory and punitive damages for bad faith denial, plus pre judgment and post judgment interest and costs and an award of attorney fees if appropriate.
2. That the Court order that this filing be placed under seal so as not to violate any confidentiality requirements as agreed to by the Plaintiff in the case against the residence of the deceased at the time of his death and for such other and further relief as it deems necessary and proper in the circumstances.

Respectfully submitted,



Beth Brooks # 9139
Attorney for Plaintiff
2299 Union Ave.
Memphis, TN 38104
901-726-0111
beth.brooks@mbbrooks.com



A



CIRCUIT COURT
140 ADAMS AVE.
ROOM 224
MEMPHIS, TN 38103

(CHANCERY / CIRCUIT) COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

RECEIVED
STATE OF TENNESSEE
CHANCERY COURT
140 ADAMS AVE.
ROOM 208
MEMPHIS, TN 38103

SUMMONS IN CIVIL ACTION

NO. CF-cv-5655-08 D. _____ AD DAMUM \$ _____
RILEY ALL
SECRET/AUTOSTAMP OTHER ☐

R.T. Wynne, beneficiary 1855 N Pisgah 38016
of J.M. Wynne Home Address

PLAINTIFF

Business Address

VS. Stonebridge Life Ins. Co.

Home Address

DEFENDANT

Business Address

TO THE DEFENDANT(S): Stonebridge
2700 West Plano Pkwy
Plano TX 75075-0870

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and serving a copy of your answer to the Complaint on Both Brooks
Plaintiff's attorney, whose address is Attorney at Law
within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.
289 Union Ave
Memphis, TN 38104

KENNY ARMSTRONG, CLERK & MASTER

JIMMY MOORE, Clerk

BY _____, D. C.

BY Bea, D. C.

TESTED AND ISSUED 11-24, 20 08

TO THE DEFENDANT(S):

NOTICE: Pursuant to Chapter 919 of the Public Acts of 1980 you are hereby given the following notice:
Tennessee law provides a four thousand (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt, with the Clerk of Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filled before the judgment becomes final, it will not become effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include: items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

COST BOND

I hereby acknowledge and bind myself for the prosecution of this action and payment of all costs not to exceed \$500.00 in this court which may at any time be adjudged against the plaintiff in the event the said plaintiff shall not pay the same.

Witness My Hand this _____ Day of _____, 20 ____

Certification when applicable

I, Jimmy Moore, Clerk of the Circuit Court, Shelby County, Tennessee, certify this to be a true and accurate copy as filed this 11-24-08

Surety

JIMMY MOORE, Clerk
By: Bea D. C.

RETURN ON SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE SERVICE THE WITHIN SUMMONS:

By delivering on the _____ day of _____, 20__ at _____ M. a copy of the summons and a copy of the Complaint to the following defendants _____

Mark Luttrell, Sheriff

By _____
Deputy Sheriff

PRIVATE PROCESS SERVER

I HEREBY CERTIFY THAT I HAVE SERVICE THE WITHIN SUMMONS:

By delivering on the _____ day of _____, 20__ at _____ M. a copy of the summons and a copy of the Complaint to the following defendants _____

(PLEASE PRINT THE FOLLOWING)

Address _____

Private Process Server _____

Phone _____

Company _____

Other manner of service: _____

Signature _____

I hereby certify that I have NOT served this Summons on the within named defendant(s) _____ because _____ is (are) not to be found in this County after diligent search and inquiry for the following reasons: _____
This _____ day of _____, 20__.

Mark Luttrell, Sheriff

By _____
Deputy Sheriff

No. _____

IN THE
CIRCUIT COURT
OF TENNESSEE
FOR THE
THIRTIETH JUDICIAL
DISTRICT AT MEMPHIS

SUMMONS IN CIVIL ACTION

RT Wynne
Plaintiff

VS

Mark Luttrell of Omaha
Defendant *MLC*

Came to hand _____

Beth Brooks
Attorney for Plaintiff

Tel. No. 901 726 0111